

## **REMARKS**

### **Amendments**

#### ***Amendments to the Claims***

Applicant has amended the claims to more particularly point out what Applicant regards as the invention. As claimed, an application policy files contains identifiers for applications that are authorized for installation on computers coupled to a network. No new matter has been added as a result of these amendments.

### **Rejections**

#### ***Rejections under 35 U.S.C. § 102(e)***

##### **Claims 1, 7, 12 and 18**

Claims 1, 7, 12 and 18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Xie et al., U.S. Patent No. 6,772,347. Applicant does not admit that Xie is prior art and reserves the right to swear behind the reference at a later date. Nonetheless, Applicant respectfully submits that Applicant's invention as claimed in claims 1, 7, 12 and 18 is not anticipated by Xie.

Xie discloses a firewall that sorts incoming packets into denied and allowed packets based on a set of rules.

With regard to claim 1, 7, 12 and 18, Xie does not teach or suggest that an application is denied access to a network by comparing an identifier for the application with identifiers for applications that are authorized for installation on computers coupled to the network as claimed.

Accordingly, Applicant respectfully submits that the invention as claimed in claims 1, 7, 12 and 18 is not anticipated by Xie under 35 U.S.C. § 102(e) and respectfully requests the withdrawal of the rejection of the claims.

##### **Claims 1-3, 5-9, 11-14 and 16-21**

Claims 1-3, 5-9, 11-14 and 16-21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Coss et al., U.S. Patent No. 6,154,775. Applicant does not admit that Coss is prior art and reserves the right to swear behind the reference at a later date.

Nonetheless, Applicant respectfully submits that Applicant's invention as claimed in claims 1-3, 5-9, 11-14 and 16-21 is not anticipated by Coss.

Coss discloses a firewall that employs stateful packet filtering to override security rules for incoming packets that correspond to previous outgoing packets.

With regard to claim 1-3, 5-9, 11-14 and 16-21, Coss does not disclose that an application is denied access to a network by comparing an identifier for the application with identifiers for applications that are authorized for installation on computers coupled to the network as claimed.

Accordingly, Applicant respectfully submits that the invention claimed in claims 1-3, 5-9, 11-14 and 16-21 is not anticipated by Coss under 35 U.S.C. § 102(e) and respectfully requests the withdrawal of the rejection of the claims.

### ***Rejections under 35 U.S.C. § 103***

#### **Claims 4, 10 and 15**

Claims 4, 10 and 15 stand rejected under 35 U.S.C. § 103(a) as being obvious over Coss in light of the Examiner taking Official Notice that is well known to duplicate and re-execute a process.

However, Applicant claims re-evaluating applications currently executing against an updated policy file. Applicant respectfully submits that the Official Notice asserted by the Examiner is not equivalent to Applicant's claimed limitation. Therefore, Application respectfully challenges the Examiner's assertion of Official Notice and requests the Examiner provide references that teach or suggest Applicant's claimed limitation of re-evaluating applications currently executing against an updated policy file.

Furthermore, claims 4, 10 and 15 depend from independent claims 1, 7 and 12 respectfully. Because Coss does not teach or suggest each and every limitation of claims 1, 7 and 12, and the asserted Official Notice cannot be properly interpreted as filling the gap, the Examiner has failed to state a proper *prima facie* case of obvious with regard to claims 4, 10 and 15.

Accordingly, Applicant respectfully request the withdrawal of the rejection of claims 4, 10 and 15 under 35 U.S.C. § 103(a) over Coss.

### **New Claims**

New claims 22-28 have been added that are dependent on claim 1. New independent claim 29 incorporates all the limitation of claims 1-6 and 22-28. Applicant respectfully submits claims 22-28 are allowable for at least the reasons set forth above for claim 1.

### **SUMMARY**

Claims 1-29 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x309.

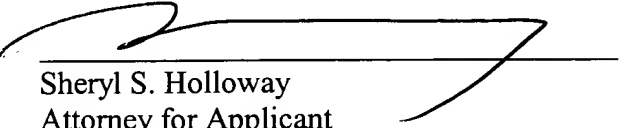
### **Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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Dated: FEB. 25, 2005



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